

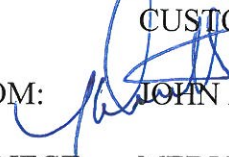
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MEDICAID SERVICES MANUAL
TRANSMITTAL LETTER

December 9, 2008

MEMORANDUM

TO: CUSTODIANS OF MEDICAID SERVICES MANUAL

FROM:  JOHN A. LIVERATTI, CHIEF OF COMPLIANCE

SUBJECT: MEDICAID SERVICES MANUAL CHANGES
CHAPTER 3500 – PERSONAL CARE SERVICES PROGRAM

BACKGROUND AND EXPLANATIONS

Revisions are being proposed to MSM Chapter 3500 to address changes to the automobile insurance requirements for Personal Care Services (PCS) agencies. Agencies state they are not able to obtain “any auto” coverage and discussions with various entities in the insurance industry would seem to support that. Instead, agencies and insurance companies propose “any owned, hired, and non-owned vehicles” coverage. The proposed language in the Provider Enrollment sections was drafted with the assistance of Risk Management staff. Other changes were made to the Transportation section to clarify DHCFP’s position opposing transportation of recipients in agency or Personal Care Attendant’s private vehicles. There is other minor language cleanup and clarification. The changes are to be effective upon approval of the Public Hearing.

MATERIAL TRANSMITTED

MTL 35/08

CHAPTER 3500 – PERSONAL CARE
SERVICES (PCS) PROGRAM

MATERIAL SUPERSEDED

MTL 09/06

CHAPTER 3500 – PERSONAL CARE
SERVICES (PCS) PROGRAM

Sec. 3503.1A.5.c

Added “or their personal care or legal
representative”

Sec. 3503.1A.5.d

Added “or their personal care or legal
representative”

Sec. 3503.1B.1.a.8

Added “Bodily injury and property damage,
with minimum Combined Single Limit
(CSL) of \$750,000.00 for any owned, hired,
and non-owned vehicles used in the
performance of the Medicaid provider’s

Deleted “Business automobile liability
coverage of at least \$500,000 general
aggregate for bodily injury and property
damage. Coverage must be provided for
any auto which transports recipients”

Contract. The policy shall be endorsed to include the following additional insured language: "The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor. NOTE: It is the provider's (Contractor's) responsibility to assure that PCAs maintain valid driver's licenses and uninterrupted liability coverage as required by NRS while performing services on behalf of the Contractor."

Sec. 3503.1B.18.b

Added ", no more than two hours of which can be for mandated periodic CPR recertification"

Sec. 3503.1B.18.e

Added "completed within the immediately preceding 24 month period"

Added "requirements one or two below and"

Added "additional"

Sec. 3503.1B.18.e.2

Added "and"

Sec. 3503.2B.1.a.7

Added "Bodily injury and property damage, with minimum Combined Single Limit (CSL) of \$750,000.00 for any owned, hired, and non-owned vehicles used in the performance of the Medicaid provider's Contract. The policy shall be endorsed to include the following additional insured language: "The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor." NOTE: It is the provider's (Contractor's) responsibility to assure that PCA's maintain valid driver's licenses and uninterrupted liability coverage as required by NRS while performing services on behalf of the Contractor."

Deleted "Commercial general liability insurance of not less than \$2,000,000 general aggregate and \$1,000,000 each occurrence, with DHCFP names as an additional insured;"

Sec. 3503.13

Added “not reimbursable service and is strongly discouraged”

Deleted “to Medicaid reimbursable providers”

Added “Recipients who choose to be transported in provider agency or personal PCA vehicles do so at their own risk.”

Deleted “neither encouraged nor required”

Deleted “However, if the provider agency elects to transport a recipient in an agency or other vehicle, they must maintain automobile and liability insurance on each vehicle used for this purpose.”

Deleted “If the provider chooses to be paid for providing transportation they must become a transportation provider as outlined in Chapter 1900. It is the recipient’s responsibility to validate that the provider agency allows transportation in a provider agency vehicle or other private vehicle and to secure proof of the PCA’s valid Nevada driver’s license and of the provider’s automobile and liability insurance. DHCFP assumes no responsibility or liability for such transportation arrangements, if made. Transportation of a recipient to PCS related tasks, such as grocery shopping and laundry, is not considered a separate billable service under the PCS program. Transportation of a recipient by a PCA in a private vehicle, to non-Medicaid reimbursable providers, or to non-authorized personal care services is not a Medicaid covered benefit. All other policies found in Section 3503.1 apply.”